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63. (NEW) The portable information terminal as set forth in claim 61, further comprising:  
an acquiring unit acquiring position information of a first party holding said portable  
information terminal; and  
an outputting unit outputting the acquired position information of the first party.

64. (NEW) The portable information terminal as set forth in claim 62, wherein the  
display unit displays a map of an appropriate scale containing the current position of the  
portable information terminal and the destination.

#### REMARKS

Claims 2-9, 11-19, 21-23, 25-27, and 32-37 are pending in this application. Claims 2-9, 11-19, 21-23, 25-27, and 34-37 have been withdrawn from consideration. Independent claims 32 and 33 have been rejected. Claims 32 and 33 have been cancelled herein. Claims 38-64 are newly added in this response. No new matter is being presented, and approval and entry are respectfully requested.

#### Entry of Amendment Under 37 C.F.R. §1.116:

Applicant requests entry of this Rule 116 Response because the rejected claims have been cancelled, and the amendments were not earlier presented because the Applicants believed in good faith that the cited prior art did not disclose the present invention as previously claimed.

The Manual of Patent Examining Procedures sets forth in Section 714.12 that "any amendment that would place the case either in condition for allowance or in better form for appeal may be entered." Moreover, Section 714.13 sets forth that "the Proposed Amendment should be given sufficient consideration to determine whether the claims are in condition for allowance and/or whether the issues on appeal are simplified." The Manual of Patent Examining Procedures further articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

**The Election/Restriction Requirement**

In items 1-3 on page 2 of the Office Action, the Examiner withdrew claims 2-9, 11-19, 21-23, 25-27, and 34-37 from consideration as being directed to a non-elected invention. The Examiner stated that claims 32 and 33 were representative of the invention originally claimed, and that these claims have separate utility, such as for use with non-telephone specific terminals and/or systems.

In the previous Amendment filed February 13, 2002, Applicant added new claims 34-37 directed to a portable telephone system, a portable telephone, a central system managing position information of a portable telephone, and a portable telephone terminal, respectively. Claims 2-9, which were previously directed to a position information management system, were amended to depend from new claim 34. Claims 11-19, which were previously directed to an information terminal, were amended to depend from new claim 35. Claims 25-27, which were previously directed to a portable radio terminal, were amended to depend from new claim 35. Claims 21-23, which were previously directed to a portable radio terminal, were amended to depend from new claim 37.

In the current Response, claims 2-9, 11-19, 21-23, 25-27, and 34-37 have been rewritten as new claims 38-64 to change the claims from being directed to a portable telephone system/terminal or a system managing position information of a portable telephone, to a portable information terminal or a position information management system, as originally claimed. New claims 38-46 correspond to claims 34, 2, 3, 6-8, 4, 5, and 9, respectively. New claims 47-59 correspond to claims 35, 11, 12, 15-17, 19-26, 13, 14, 18, and 27, respectively. New Claims 60-64 correspond to claims 36, 37, 21, 23, and 22, respectively.

New claim 38 specifies that a portable information terminal comprises "an automatic responding unit responding to the command requesting current positioning information of the portable information terminals using the Global Positioning System, and a position registering unit automatically registering position information periodically with the central system ...". New independent claims 47, 60, and 61 recite similar language.

In the present invention, the portable information terminal regularly acquires its current position with the lapse of every fixed time period. The position information is automatically sent to the central system and logged. Thus, the path that the holder of the portable information

terminal follows may be determined and updated periodically. Also, if a holder of a second portable information terminal wants to know the location of the holder of the first portable information terminal, then the holder of the second portable information terminal requests the position information of the first portable information terminal, and the position information is immediately provided.

Thus, the present invention is able to periodically update position information of a portable information terminal, as well as immediately update the position information when requested to do so by a holder of another portable information terminal. It is the position of the applicant that these features are not taught or suggested by the prior art.

### **Rejections Under 35 U.S.C. §103**

In items 4-6 on pages 2-4 of the Office Action, the Examiner rejected independent claims 32 and 33 under 35 U.S.C. §103(a) as being unpatentable over Norris (U.S. Patent No. 5,689,269) in view of Schuchman et al. (U.S. Patent No. 5,422,813). Claims 32 and 33 have been cancelled herein, rendering the rejection moot.

### **CONCLUSION**

It is submitted that none of the references, either taken alone or in combination, teach the present claimed invention. Thus, claims 38-64 are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If there are any formal matters remaining after this Response, the Examiner is requested to telephone the undersigned to attend to these matters.

Finally, if there are any additional fees associated with filing of this Response, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: 2/20/03

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**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS**

Please **ADD** the following new claims:

38. (NEW) A position information management system managing position information of a portable information terminal, comprising:

a portable information terminal; and

a central system comprising

    a request receiving unit receiving a request for position information of the portable information terminal,

    a position information acquiring unit acquiring current position information of the portable information terminal by sending a command to the portable information terminal to respond when the portable information terminal is able to receive the command, or by retrieving position information that is registered beforehand when the portable information terminal is unable to receive the command,

    wherein said portable information terminal comprises

        a Global Positioning System receiver,

        an automatic responding unit responding to the command requesting current positioning information of the portable information terminal using the Global Positioning System, and

        a position registering unit automatically registering position information periodically with the central system, and

    wherein a position of a first party holding said portable information terminal may be obtained, through the central system, by a second party holding another portable information terminal, and the positions of both the first party and the second party are displayed on the portable information terminal of the second party.

39. (NEW) The position information management system as set forth in claim 38, wherein said portable information terminal further comprises a built-in device which detects a moving direction and a moving speed of said portable information terminal, wherein when the

Global Positioning System becomes unavailable, said portable information terminal independently detects and displays its current position.

40. (NEW) The position information management system as set forth in claim 38, wherein a position of a first party holding said portable information terminal may be obtained by a second party through the central system.

41. (NEW) The position information management system as set forth in claim 38, wherein said portable information terminal transmits position information of a destination to the central system, thereby to automatically download map data of an appropriate scale from the central system on demand, the map data containing the current position of said portable information terminal and a position of the destination, and to display the map data.

42. (NEW) The position information management system as set forth in claim 38, wherein said portable information terminal retains minimum map data of a region in which a holder thereof wants to move, in the form of an IC card.

43. (NEW) The position information management system as set forth in claim 38, wherein said portable information terminal retains map data downloaded from the central system for a certain period of time, and when the map data is needed again, it is searched for from within the map data retained in said portable information terminal and is displayed.

44. (NEW) The position information management system as set forth in claim 40, wherein the second party holds another portable information terminal.

45. (NEW) The position information management system as set forth in claim 40, wherein a movement of the current position of the first party is supervised, and when the first party has not moved from an identical site for a predetermined time period, an alarm is raised upon a judgment that an unusual situation has occurred to the first party.

46. (NEW) The position information management system as set forth in claim 43, wherein said portable information terminal sets a time period for retaining map data of higher use frequency, to be longer than a certain period of time.

47. (NEW) A portable information terminal having a position managed through a central system, comprising:

a Global Positioning System receiver,

an automatic responding unit responding to a command requesting current positioning information of the portable information terminal using the Global Positioning System; and

a position registering unit automatically registering the position information periodically with the central system,

wherein a position of a first party holding said portable information terminal may be obtained, through the central system, by a second party holding another portable information terminal, and the positions of both the first party and the second party are displayed on the portable information terminal of the second party.

48. (NEW) The position information terminal as set forth in claim 47, further comprising a built-in device which detects a moving direction and a moving speed of said portable information terminal, and wherein when the Global Positioning System becomes unavailable, said portable information terminal independently determines and displays its current position.

49. (NEW) The portable information terminal as set forth in claim 47, wherein the position of a first party holding said portable information terminal may be obtained by a second party through the central system.

50. (NEW) The portable information terminal as set forth in claim 47, wherein said portable information terminal transmits position information of a destination to the central system, thereby to automatically download map data of an appropriate scale from the central system on demand, the map data containing the current position of said portable information terminal and a position of the destination, and to display the map data.

51. (NEW) The portable information terminal as set forth in claim 47, wherein said portable information terminal retains minimum map data of a region in which a holder thereof wants to move, in the form of an IC card.

52. (NEW) The portable information terminal as set forth in claim 47, wherein said portable information terminal retains map data downloaded from the central system for a certain period of time, and when the map data is needed again, it is searched for from within the map data retained in said portable information terminal and is displayed.

53. (NEW) The portable information terminal as set forth in claim 47, wherein in the portable information terminal, an antenna for the Global Positioning System is disposed in a cover for an input button portion of said portable information terminal.

54. (NEW) The portable information terminal as set forth in claim 47, wherein an antenna for said Global Positioning System is disposed in a cover for an input button portion of said portable information terminal.

55. (NEW) The portable information terminal as set forth in claim 47, further comprising a display unit displaying a map which contains the acquired current position of said portable information terminal.

56. (NEW) The portable information terminal as set forth in claim 49, wherein the second party holds another portable information terminal.

57. (NEW) The portable information terminal as set forth in claim 49, wherein a movement of the current position of the first party is supervised, and when the first party has not moved from an identical site for a predetermined time period, an alarm is raised upon a judgment that an unusual situation has occurred to the first party.

58. (NEW) The portable information terminal as set forth in claim 52, wherein said portable information terminal sets a time period for retaining map data of higher use frequency, to be longer than a certain period of time.

59. (NEW) The portable information terminal as set forth in claim 55, wherein the display unit displays a map of an appropriate scale containing a current position of said portable information terminal itself and the current position of the other portable information terminal requesting the current positioning information of the portable information terminal.

60. (NEW) A central system managing position information of a portable information terminal, comprising:

a request receiving unit receiving a request for position information of a portable information terminal; and

a position information acquiring unit acquiring a current position information of the portable information terminal by sending a command to the portable information terminal when the portable information terminal is able to receive the command, or by retrieving position information that is registered beforehand when the portable information terminal is unable to receive the command,

wherein the portable information terminal responds to the command requesting position information of the portable information terminal, and automatically registers position information with the central system, and

wherein a position of a first party holding said portable information terminal may be obtained, through said central system, by a second party holding another portable information terminal, and the positions of both the first party and the second party are displayed on the portable information terminal of the second party.

61. (NEW) A portable information terminal, comprising:

a Global Positioning System receiver;

a position registering unit periodically determining current positioning information;

an automatic responding unit responding to a request to send current positioning information of the portable information terminal using the Global Positioning System; and

a sending unit automatically sending the current positioning information obtained by the Global Positioning System to another portable information terminal sending the request for the current positioning information,

wherein a position of a first party holding said portable information terminal may be obtained by a second party holding the other portable information terminal, and the positions of both the first party and the second party are displayed on the portable information terminal of the second party.

62. (NEW) The portable information terminal as set forth in claim 61, further comprising a display unit displaying a map which contains a destination, on the basis of position information of the destination.

63. (NEW) The portable information terminal as set forth in claim 61, further comprising:  
an acquiring unit acquiring position information of a first party holding said portable information terminal; and  
an outputting unit outputting the acquired position information of the first party.

64. (NEW) The portable information terminal as set forth in claim 62, wherein the display unit displays a map of an appropriate scale containing the current position of the portable information terminal and the destination.